

AFFIDAVIT OF DUE DILIGENCE

INDEX NO.: 07CV7458 (BERMAN)

UNITED STATES DISTRICT COURT

COUNTY OF NEW YORK

DISTRICT: SOUTHERN DISTRICT OF NEW YORK

Attorneys: Ed Hendrickson Sedgwick, Detert, Moran & Arnold, LLP PH: 212-422-0202

Address: 125 Broad Street, 39th Fl. New York NY 10004 File No.:

QUALITY TECHNOLOGY SERVICES HOLDING, LLC

VS

Plaintiff / Petitioner

CHECKM8, INC.

Defendant / Respondent

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

Robert Crandall, being duly sworn, deposes and says: that deponent is not a party to this action, is over the age of eighteen (18) years and resides in New York State; deponent attempted to serve the within:

Summons & Complaint, Civil Cover Sheet, Judges Practices & Rules in a Civil Action

Procedures for Electronic Case Filing, & Individual Practices of Judge Ronald I. Ellis

upon CHECKM8, INC.

the defendant / respondent therein named, and that after due search, careful inquiry and diligent attempts at

COURT PLAZA SQ., 21 MAIN STREET, HACKENSACK, NJ 07601

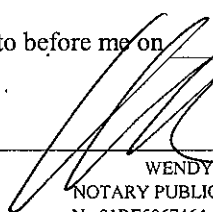
deponent was unable to effect process upon the person being served because of the following reason(s):


- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| <input type="checkbox"/> unknown at address | <input type="checkbox"/> house vacant |
| <input type="checkbox"/> moved, left no forwarding | <input type="checkbox"/> address does not exist |
| <input type="checkbox"/> evading | <input type="checkbox"/> service canceled by litigant |
| <input type="checkbox"/> unable to serve in timely fashion | <input type="checkbox"/> no other occupants / tenants over 18 years of age |
| <input checked="" type="checkbox"/> Other: ON AUGUST 23 ,2007 ABOUT 3:45PM DEPONENT WENT TO THE ABOVE MENTIONED ADDRESS AND SPOKE TO A GENTLEMEN WHO WAS EMPLOYED AT 19 MAIN STREET,HACKENSACK,NJ AND HE INFORMED DEPONENT THAT THE DEFENDANT CHECKM8,INC. MOVED TO MANHATTAN. | |

ATTEMPTS WERE MADE AS FOLLOWS:

Date Time Place

Sworn to before me on August 23, 2007


WENDY RESNICK
NOTARY PUBLIC, State of New York
No.01RE5067464, Westchester County
Commission Expires Oct.15, 2010


Robert Crandall
Server's Lic # 0955171
Invoice/Work Order #07022371